

PETER C. ANDERSON
UNITED STATES TRUSTEE
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ASSISTANT UNITED STATES TRUSTEE
UNITED STATES DEPARTMENT OF JUSTICE
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION**

In re:

SHAHEN MAILYAN,

Debtor.

Case No. 6:24-bk-11145-RB

Chapter 13

**STIPULATION RESOLVING MOTION
FOR ORDER COMPELLING
ATTORNEY TO FILE DISCLOSURE
OF COMPENSATION PURSUANT TO
11 U.S.C. § 329 AND FEDERAL RULE
OF BANKRUPTCY PROCEDURE 2016**

Hearing:

Date: May 15, 2024
Time: 2:00 p.m.
Place: Courtroom 303
3420 Twelfth St.
Riverside, CA 92501

**TO THE HONORABLE MAGDALENA REYES BORDEAUX, UNITED STATES
BANKRUPTCY COURT JUDGE, THE DEBTOR, THE DEBTOR'S COUNSEL, AND ALL
PARTIES IN INTEREST:**

This stipulation ("Stipulation") is entered into by Peter C. Anderson, the United States
Trustee for the Central District of California, Region 16 ("U.S. Trustee"), and Sammy Zreik of

1 Whitbeck, Kooshki & Zreik LLP (collectively, “Mr. Zreik”), legal counsel for the debtor Shahen
2 Mailyan (“Debtor”).

3 RECITALS

4 A. The Debtor filed a “skeletal” voluntary chapter 13 petition on March 8, 2024
5 (“Bankruptcy Case”), in the Riverside Division of the Bankruptcy Court for the Central District of
6 California.

7 B. The Debtor failed to file all the documents required under Federal Rule of
8 Bankruptcy Procedure 1007 or 3015(b) within 14 days after the filing of the petition. As a result,
9 the Bankruptcy Case was dismissed by Order of the Court on March 26, 2024.

11 C. On April 9, 2024, the U.S. Trustee filed the *Motion for Order Compelling Attorney*
12 *to File Disclosure of Compensation Pursuant to 11 U.S.C. § 329 and Federal Rule of Bankruptcy*
13 *Procedure 2016*, as docket number 13 (“Motion”). The hearing on the Motion is set to be heard by
14 the Court on May 15, 2024.

16 D. On May 8, 2024, Mr. Zreik filed the Disclosure of Compensation of Attorney for
17 Debtor indicating that for legal services in the Bankruptcy Case he had agreed to accept \$3,000,
18 prior to filing of the disclosure he received \$750, and there was a remaining balance of \$2,250
19 (“Fee Balance”).

21 E. The U.S. Trustee raised concerns with Mr. Zreik regarding the reasonableness of the
22 fees.

23 F. The U.S. Trustee and Mr. Zreik (collectively, “Parties”) have met and conferred and,
24 in order to avoid the costs and uncertainties associated with litigation, have reached an agreement
25 subject to Court approval to resolve the Motion and a potential refund motion.

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1 **NOW, THEREFORE**, the parties stipulate as follows:

2 1. Mr. Zreik shall not take any action to collect the Fee Balance, and hereby waives any
3 right to receive payment of the Fee Balance.

4 2. Upon execution of this Stipulation, Mr. Zreik shall refund to the Debtor the sum of
5 \$218.50 ("Refund Payment"). The Refund Payment shall be made payable to "Shahen Mailyan"
6 paid by law firm check, cashier's check or U.S. Postal Money Order, and shall be delivered within
7 thirty (30) days of the filing of this Stipulation, to the Debtor: Shahen Mailyan, 260 South Fairway
8 Dr., Lake Arrowhead, CA 92352.


9 3. The Parties shall bear their own fees and costs in connection with this Stipulation.

10 4. The hearing on the Motion shall be vacated.

11 5. This Stipulation may be signed in counterparts and a copy of a signature may serve
12 as an original.

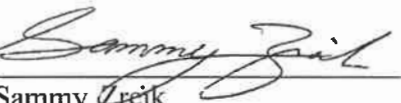
13 DATED: May 14, 2024

14 PETER C. ANDERSON
15 UNITED STATES TRUSTEE

16 By: 
17 Abram S. Feuerstein
18 Assistant U.S. Trustee

19 DATED: May 14, 2024

20 WHITBECK, KOOSHKI & ZREIK LLP

21 By: 
22 Sammy Zreik
23 Attorney for Debtor

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
**3801 University Avenue, Suite 720,
Riverside, CA 92501**

A true and correct copy of the foregoing document entitled (*specify*): **Stipulation Resolving Motion for Order Compelling Attorney to File Disclosure of Compensation Pursuant to 11 U.S.C. § 329 and Federal Rule of Bankruptcy Procedure 2016** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **May 14, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See Attached Electronic Mail Notice List.

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **May 14, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor

Shahen Mailyan
260 South Fairway Dr
Lake Arrowhead, CA 92352

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **May 14, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

(Overnight Mail)

Judge's Copy

Honorable Magdalena Reyes Bordeaux
United States Bankruptcy Court
3420 Twelfth Street, Suite 365 / Courtroom 303
Riverside, CA 92501-3819

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 14, 2024 Adela Salgado
Date *Printed Name*

/s/ Adela Salgado
Signature

Mailing Information for Case 6:24-bk-11145-RB

Electronic Mail Notice List

The following is the list of **parties** who are currently on the list to receive email notice/service for this case.

- **Rod Danielson (TR)** notice-efile@rodan13.com
- **Abram Feuerstein** abram.s.feuerstein@usdoj.gov
- **United States Trustee (RS)** ustpreion16.rs.ecf@usdoj.gov
- **Jennifer C Wong** bknotice@mccarthyholthus.com, jwong@ecf.courtdrive.com
- **Sammy Zreik** sammy.zreik@wkzlaw.com, zreiksr91001@notify.bestcase.com

Manual Notice List

The following is the list of **parties** who are **not** on the list to receive email notice/service for this case (who therefore require manual noticing/service). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

[Creditor List](#)

Click the link above to produce a complete list of **creditors** only.

[List of Creditors](#)

Click on the link above to produce a list of **all** creditors and **all** parties in the case. User may sort in columns or raw data format.